



सत्यमेव जयते

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## PART V

### Bills introduced in the Gujarat Legislative Assembly

(To be translated into Gujarati and the translation to be published in the *Gujarat Government Gazette*. The date of publication to be reported.)

The following Bill is published with the consent of the Speaker given under the proviso to rule 127A of the Gujarat Legislative Assembly Rules:-

#### THE GUJARAT STAMP (AMENDMENT) BILL, 2025.

#### GUJARAT BILL NO. 10 OF 2025.

#### A BILL

*further to amend the Gujarat Stamp Act, 1958.*

It is hereby enacted in the Seventy-sixth Year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Stamp (Amendment) Act, 2025.
- (2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Short title and  
commencement.

**Amendment of  
section 2 of Bom.  
LX of 1958.**

**2.** In the Gujarat Stamp Act, 1958 (hereinafter referred to as “the principal Act”), in section 2,-

**Bom. LX of  
1958.**

(1) in clause (g),

(i) for sub-clause (iv), the following sub-clause shall be substituted namely; -

"(iv) every order made by the High Court under section 394 of the Companies Act, 1956 or every order made by the National Company Law Tribunal under sections 230 to 234 of the Companies Act, 2013 or every confirmation issued by the Central Government under sub-section (3) of section 233 of the Companies Act, 2013, in respect of the amalgamation, merger, demerger, arrangement or reconstruction of companies (including subsidiaries of parent company); or every order of the Reserve Bank of India under section 44A of the Banking Regulation Act, 1949, in respect of amalgamation or reconstruction of Banking Companies; or every order made by the Board for Industrial and Financial Reconstruction under section 18 or 19 of the Sick Industrial Companies (Special Provisions) Act, 1985, in respect of sanction of Scheme specified therein or every order made by the National Company Law Tribunal under section 31 of the Insolvency and Bankruptcy Code, 2016, in respect of approval of resolution plan and order by Ministry of Finance or under any prevailing law by any authority in its scope, in respect of amalgamation, arrangement, merger, demerger or reconstruction of companies, banks, institutes etc."

(ii) after sub-clause (v), the following sub-clause shall be inserted, namely:-

"(vi) any agreement for take over the management or control of company by transferring or purchasing the shares of the company."

(2) in clause (I), the existing Explanation shall be renumbered as Explanation I and after Explanation I as so renumbered, the following Explanation II shall be inserted, namely: -

**"Explanation II.-** Notwithstanding any other Act or law in force, for the purpose of the levy of stamp duty in absence of original instrument, copy or extract or Photocopy or certified copy shall be treated as original instrument."

**Amendment of  
section 3 of Bom.  
LX of 1958.**

**3.** In the principal Act, in section 3,

(1) before the existing proviso, the following proviso shall be inserted, namely: -

"provided that a copy or extract or Photocopy, whether certified to be a true copy or not and whether a facsimile image or otherwise of the original instrument on which stamp duty is chargeable under the provisions of this section, shall be chargeable with full stamp duty indicated in the Schedule I if the proper duty payable on such original instrument is not paid.";

(2) in the existing proviso, for the words " Provided that", the words "Provided further that" shall be substituted.

**Amendment of  
section 3A of Bom.  
LX of 1958.**

**4.** In the principal Act, in section 3A, in sub-section (1), for the items (1) to (10), the following items shall be substituted, namely:-

“(1) No. 6(1) (Agreement or memorandum or agreement relating to deposit of title deeds),

(2) No. 17 (Certificate of sale),

(3) No. 20(a), 20(b) and 20(c) (Conveyance),

(4) No. 26 (Exchange of property),

(5) No. 27 (Further charge),

- (6) No. 28 (Gift),
- (7) No. 30 (Lease and Leave and License),
- (8) No. 36 (Mortgage-deed),
- (9) No. 45 (f) (Power of Attorney when given for consideration and authorizing the attorney to sell any immovable property or authorizing to sell or transfer immovable property without consideration or without showing any consideration),
- (10) No. 52 (Settlement)
- (11) No. 57 (transfer of lease)".

5. In the principal Act, after section 10, the following section shall be inserted, namely;-

**Certain departments, organizations, Institutions, etc., to ensure payment of stamp duty.**

- “10A.** (1) Notwithstanding anything contained in this Act, the State Government may, by notification in the *Official Gazette*, direct that any Statutory bodies, institution or local self-Government, semi Government organization, banking or non-banking financial institution or the body owned, controlled or substantially financed by the State Government or any class of them, shall ensure that the proper duty is paid to the State Government through system of payment as may be notified by the State Government in this behalf, in respect of such instruments, as may be specified in the notification in which such institution or body, etc., is a party or which create a right in favour of such institution or body, etc., and of which registration is compulsory or not compulsory.
- (2) Such authority or institution or body, etc. shall authorize a person nominated by such institution or body, etc. as mentioned in sub-section (1) as a proper officer for defacing the *challan* by any system of payment as may be notified by the State Government in this behalf and making the endorsement on such instruments.
- (3) It shall be the duty of the proper officer so authorized under sub-section (2) to make an endorsement on the instruments in the manner as specified in the notification by the State Government.”.

**Insertion of new section 10A in Bom. LX of 1958.**

6. In the principal Act, in section 17, for the existing second proviso, the following proviso shall be substituted, namely:-

“Provided further that the instrument, so far as it relates to every order made by the High Court under section 394 of the Companies Act, 1956 or every order made by the National Company Law Tribunal under sections 230 to 234 of the Companies Act, 2013 or every confirmation issued by the Central Government under sub-section (3) of section 233 of the Companies Act, 2013, in respect of the amalgamation, merger, demerger, arrangement or reconstruction of companies (including subsidiaries of parent company); and every order of the Reserve Bank of India under section 44A of the Banking Regulation Act, 1949, in respect of amalgamation or reconstruction of Banking Companies; and every order made by the Board for Industrial and Financial Reconstruction under section 18 or 19 of the Sick Industrial Companies (Special Provisions) Act, 1985, in respect of sanction of Scheme specified therein or every order made by the National Company Law Tribunal under section 31 of the Insolvency and Bankruptcy Code, 2016, in respect of approval of resolution plan and order by ministry of finance or under any prevailing law by any authority in its scope, in respect of amalgamation, arrangement, merger, demerger or reconstruction of companies, banks, institutes, etc. shall be stamped within sixty days from the date of such order of the said authorities.”.

**Amendment of section 17 of Bom. LX of 1958.**

**Amendment of  
section 30 of Bom.  
LX of 1958.**

7. In the principal Act, in section 30, after clause (f), the following clause shall be inserted, namely:-

“(f-a) in case of instrument of Built, Operate and Transfer (BOT) as provided in Article 5(gc) of SCHEDULE –I , by the person receiving the contract;”.

**Insertion of new  
section 30A in  
Bom. LX of 1958.**

8. In the principal Act, after section 30, the following section shall be inserted, namely:-

**Duties payable by financial institution.** “30A. Notwithstanding anything contained in section 30, where any instrument referred to in clauses (a) to (g) of section 30 is executed on or after the date of commencement of the Gujarat Stamp (Amendment) Act, 2025, in favour of or by any financial institution such as Bank, Non-Banking Finance Company, Housing Finance Company or alike, which creates any right in favour of any such financial institution, the liability to pay proper stamp duty shall be on such financial institution concerned without affecting their right.”.

**Guj. ....of  
2025.**

**Amendment of  
section 31 of Bom.  
LX of 1958.**

9. In the principal Act, in section 31,-

(1) in sub-section (1),-

- (i) for the words “whether executed or not”, the words “whether executed and brought to the Collector for adjudication (i) within sixty days from the date of the execution or first execution of such instrument in the State, or (ii) if such instrument is executed or first executed, out of the State, within three months from the date of first receipt of such instrument in this State or not executed” shall be inserted;

- (ii) for the words “not exceeding one hundred rupees and not less than twenty-five rupees” the words “one thousand rupees” shall be substituted;

(2) after clause (3), the following clauses shall be inserted, namely: -

“(4) When an instrument is brought to the Collector for adjudication, -

- (i) within sixty days from the date of the execution or first execution of such instrument in the State; or
- (ii) if, such instrument is executed or first executed, out of the State, within three months from the date of first receipt of such instrument in this State,

the person liable to the pay the stamp duty under section 30 shall pay the same within the time prescribed for its payment. if the person fails to pay such amount within the time prescribed for its payment, he shall be liable to pay simple interest according to sub section (1) of section 46 of the Act.

(5) When an instrument is brought to the Collector for adjudication, -

- (i) After sixty days from the date of the execution or first execution of such instrument in the State; or
- (ii) if, such instrument is executed or first executed, out of the State, after three months from the date of first receipt of such instrument in this State,

the Collector shall not adjudicate the same and such instrument shall be dealt with section 33 of the Act.”.

**Amendment of  
section 32 of Bom.  
LX of 1958.**

10. In the principal Act, in the proviso to section 32, in clause (a), for the words “one month”, the words “sixty days” shall be substituted.

**Amendment of  
section 32A of  
Bom. LX of 1958.**

11. In the principal Act, in section 32 A, in sub-section (3), for the words “of two hundred and fifty rupees” the words “of one thousand rupees” shall be substituted.

12. In the principal Act, in section 33, after sub-section (3), the following sub-sections shall be added, namely:-

**Amendment of  
section 33 of Bom.  
LX of 1958.**

- “(4) Where deficiency in stamp duty is noticed from the copy of an instrument, the Collector may *suo motu* or on a reference from any Court or any Authority or by any person in that behalf, the collector shall call for the original instrument for the purpose of satisfying himself as to the adequacy of the duty paid thereon, and the instrument so produced before the Collector shall be deemed to have been produced, or come before him in the performance of his functions
- (5) In case the instrument is not produced within the period specified by the Collector, collector shall impound the copy of instrument, he shall require the payment of the proper duty or the amount required to make up the same, together with penalty under Section 39(1)(b) on the copy of the instrument.”.

13. In the principal Act, in section 34, in the proviso, in clause (a) for the words, “together with a penalty of five rupees, or when ten times the amount of the proper duty or deficient portion thereof exceeds five rupees, of a sum equal to ten times such duty or portion” the words and brackets “together with a penalty as per clause (b) of sub-section (1) of section 39 of the Act.

**Amendment of  
section 34 of  
Bom. LX of  
1958.**

14. In the principal Act, in section 39, in sub-section (1),-

**Amendment of  
section 39 of  
Bom. LX of  
1958.**

- (1) for clause (b), the following clause shall be substituted, namely:-

“(b) if he is of the opinion that such instrument is chargeable with duty and is not duly stamped, he shall require the payment of the proper duty or the amount required to make up the same, together with,-

- (i) If the person voluntarily produce the instrument before the collector, for the payment of deficit stamp duty, penalty of an amount equal to 2 per cent. of the deficient portion of the stamp duty, for every month or part thereof from the date of execution of the instrument subject to the payment of minimum penalty of rupees three hundred:

Provided that in no case, the amount of the penalty shall exceed four times the deficient portion of the stamp duty.

- (ii) If the Collector may *suo motu* or on a reference from any Court or any Authority or by any person in that behalf, penalty of an amount equal to 3 per cent. of the deficient portion of the stamp duty, for every month or part thereof from the date of execution of the instrument subject to the payment of minimum penalty of rupees three hundred:

Provided that in no case, the amount of the penalty shall exceed six times the deficient portion of the stamp duty.”;

- (2) before the existing proviso, the following provisos shall be inserted, namely:-

“Provided that,

- (a) duty for which reduction or remission is granted by the Government under clause (a) of section 9 under any prevailing policy, the time period between the date of reduction or remission and date of application filed for surrender or de-notified from the policy, shall not be treated as deficient portion of duty for the purpose of calculation of penalty, if the beneficiary of such reduction or remission in duty surrenders or forgoes or has surrendered or forgone such benefit with prior approval or with no objection from the Government; and
- (b) a period between the date of original instrument presented before collector and the date of order by collector shall be subtracted for penalty under this section:

- (3) in the existing proviso to sub-section (1), for the words “Provided that”, the words “Provided also” shall be substituted.

**Amendment of section 49 of Bom. LX of 1958.**

15. In the principal Act, in section 49, for the words “without limit of time,” the words “within six months from the date of purchase of impressed stamps” shall be substituted.

**Amendment of section 51 of Bom. LX of 1958.**

16. In the principal Act, in section 51, for the word “deducting”, the words “deducting, subject to minimum three hundred rupees,” shall be substituted.

**Amendment of section 52 of Bom. LX of 1958.**

17. In the principal Act, in section 52, for the word “deduction ten naya paisa for each rupee”, the words “deduction, subject to minimum three hundred rupees, ten naya paisa for each rupee” shall be substituted.

**Amendment of section 62A of Bom. LX of 1958.**

18. In the principal Act, in section 62A, -
- (1) in clause (i), for the words “five hundred rupees”, the words “twenty five thousand rupees” shall be substituted;
  - (2) in clause (ii), for the words “one thousand rupees, but which shall not be less than two hundred rupees”, the words “fifty thousand rupees, but which shall not be less than ten thousand rupees” shall be substituted;
  - (3) in clause (iii), for the words “two thousand rupees”, the words “one lakhs rupees” shall be substituted.

**Insertion of new sections 67A and 67B in Bom. LX of 1958.**

19. In the principal Act, after section 67, the following sections shall be inserted, namely: -

**Obligation to furnish information.** “67A. (1) Any such individual, institution, organization, company or a body responsible for creating, executing, maintaining, recording, verifying an instrument chargeable with duty shall, when called upon by any officer specifically authorized by the Chief Controlling Revenue Authority or Collector in this behalf, furnish information in the form and within the time limit specified by the Chief Controlling Revenue Authority or Collector.

- (2) Any such individual, institution, organization, company or a body responsible to furnish the information under sub-section (1) fails to furnish the same within the specified time, the Chief Controlling Revenue Authority or any other officer authorized by him in this behalf, direct such defaulter to pay by way of penalty, a sum up to ten thousand for each failure.

**Powers for omission to comply with provision of section 30A.** 67B. In case of non-fulfillment of responsibility by the Institution, Board, etc. referred to in section 10A, by giving such institutions an opportunity to be heard, the Collector shall impose penalty from Rs. 1000/- to Rs. 10,000/- in each case on merits and demerits of the case on negligence by institutes to recover stamp duty.”.

**Amendment of section 68 of Bom. LX of 1958.**

20. In the principal Act, in section 68, -
- (i) in sub-section (1), after the words "with any such instrument", the words "including such instrument" shall be inserted;
  - (ii) in sub-section (2), for the words "maintaining such registers", the words "maintaining such instrument, registers" shall be substituted.

21. In the principal Act, after section 68, the following section shall be inserted, namely:-

**Prevention or obstruction of an officer to be an offence.** “68A. If any person prevents or obstructs entry of any officer authorized under section 68 or fails to give any reasonable assistance to him, he shall, on conviction, be punished with imprisonment for a term which shall not be less than one month, but which may extend to six months and with fine which may extend to rupees ten thousand.”.

**Insertion of new sections 68A in Bom. LX of 1958.**

22. In the principal Act, in section 70, for the words “five hundred rupees”, the words “an amount equal to two times of deficit duty” shall be substituted.

**Amendment of section 70 of Bom. LX of 1958.**

23. In the principal Act, in Schedule 1,-

**Amendment of Schedule I to Bom. LX of 1958.**

(1) in article 5, after clause (gb), the following clauses shall be inserted namely:-

“(gc) project under Built, Operate and Transfer (BOT) system, or concession agreement or any project built under other mode of public private partnership which are not covered under any other existing article, whether with or without toll or free collection rights, -	subject to maximum twenty-five lakhs rupees and minimum Five thousand rupees, 0.10 percent of the amount agreed in the contract.”:
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(2) in article 6,-

(a) in clause(1), in sub-clause (a), for items (i) and (ii), the following items shall be substituted, namely:-

	Subject to maximum of seventy-five lakhs rupees in case of consortium bank
“(i) where the amount of loan or debt does not exceed Rs. 1,00,00,000/-	Subject to maximum of Five thousand rupees, twenty-five paise for every hundred rupees or part thereof.
(ii) where the amount of loan or debt exceeds Rs. 1,00,00,000/- but does not exceed Rs. 10,00,00,000/-	twenty-five paise for every hundred rupees or part thereof.
(iii) where the amount of loan or debt exceeds Rs. 10,00,00,000/-	Subject to maximum of fifteen lakhs rupees, fifty paise for every hundred rupees or part thereof.”;

(b) in clause (2), for items (i) and (ii), the following items shall be substituted, namely:-

	Subject to maximum of seventy-five lakhs rupees in case of consortium bank
“(i) where the amount of loan or debt does not exceed Rs. 1,00,00,000/-	Subject to maximum of Five thousand rupees, twenty-five paise for every hundred rupees or part thereof.

(ii) where the amount of loan or debt exceeds Rs. 1,00,00,000/- but does not exceed Rs. 10,00,00,000/-	twenty five paise for every hundred rupees or part thereof.
(iii) where the amount of loan or debt exceeds Rs. 10,00,00,000/-	Subject to maximum of fifteen lakhs rupees, fifty paise for every hundred rupees or part thereof.”;

- (3) in article 12, in column 2, for the words “subject to maximum of five lakhs rupees,” the words “subject to maximum of fifteen lakhs rupees,” shall be substituted.
- (4) in article 14, for items (i) and (ii), the following items shall be substituted, namely:-

	Subject to maximum of seventy five lakhs rupees in case of consortium bank
“(i) where the amount of loan or debt does not exceed Rs. 1,00,00,000/-	Subject to maximum of Five thousand rupees, twenty-five paise for every hundred rupees or part thereof.
(ii) where the amount of loan or debt exceeds Rs. 1,00,00,000/- but does not exceed Rs. 10,00,00,000/-	Twenty-five paise for every hundred rupees or part thereof.
(iii) where the amount of loan or debt exceeds Rs. 10,00,00,000/-	Subject to maximum of fifteen lakhs rupees, fifty paise for every hundred rupees or part thereof.

- (5) in article 20, in clause (d), -
- (i) in column (1), for the portion beginning with the word “CONVEYANCE” and ending with the words and figures “the Companies Act, 1956”, the following portion shall be substituted, namely: -

“every order made by the High Court under section 394 of the Companies Act, 1956 or every order made by the National Company Law Tribunal under sections 230 to 234 of the Companies Act, 2013 or every confirmation issued by the Central Government under sub-section (3) of section 233 of the Companies Act, 2013, in respect of the amalgamation, merger, demerger, arrangement or reconstruction of companies (including subsidiaries of parent company); or every order of the Reserve Bank of India under section 44A of the Banking Regulation Act, 1949, in respect of amalgamation or reconstruction of Banking Companies; or every order made by the Board for Industrial and Financial Reconstruction under section 18 or 19 of the Sick Industrial Companies (Special Provisions) Act, 1985, in respect of sanction of Scheme specified therein or every order made by the National Company Law Tribunal under section 31 of the Insolvency and Bankruptcy Code, 2016, in respect of approval of resolution plan and order by ministry of finance or under any prevailing law by any authority in its scope, in respect of amalgamation, arrangement, merger, demerger or reconstruction of companies, banks, institutes etc.”



- (ii) in column (2), for the words “Subject to maximum twenty –five crores rupees”, the words “Subject to maximum fifty crores rupees and minimum ten thousand rupees for each transferor or transferee” shall be substituted;
- (iii) in column (2) in sub-clause (i), after the words “amalgamation”, the words “merger, demerger, arrangement or reconstruction” shall be inserted;
- (iv) in *Explanation III*, for clause (c), the following clause shall be substituted, namely: -

“(c) Where the transferee company and transferor company, whose shares are not listed or listed but not quoted for trading on stock exchange means the market value of the shares issued or allotted with reference to the market value of the share of the transferee company or as determined by the collector after giving the transferee company an opportunity of being heard.”;

- (2) in article 27, in clause (b), for item (ii), the following item shall be substituted, namely:-

“(ii) if possession is not so given.	Subject to maximum of seventy- five lakhs rupees in case of consortium bank
	(a) where the amount of further charge secured by such instrument does not exceed Rs. 1,00,00,000/-Subject to maximum of Five thousand rupees, twenty-five paise for every hundred rupees or part thereof.
	(b) where the amount of further charge secured by such instrument exceeds Rs. 1,00,00,000/- but does not exceed Rs. 10,00,00,000/- twenty-five paise for every hundred rupees or part thereof.
	(1) where the amount of further charge secured by such instrument exceeds Rs. 10,00,00,000/-, Subject to maximum of fifteen lakhs rupees fifty paise for every hundred rupees or part thereof.”;

- (6) in article 30, in clause (a),

- (i) for items (i) to (viii), the following items shall be substituted, namely: -

“(i) Where the lease purports to be for a term of less than one year.	Residential property – Rs.500/- Commercial property-Rs.1000/-
(ii) Where the lease purports to be for a terms of not less than one year but not more than five years	Residential property – Minimum of Rs.1000/- Commercial property- Minimum of Rs.5000/- One rupees for every hundred rupees, or part thereof or the amount or value of the average annual rent reserved

(iii) Where the lease purports to be for a terms in excess of five years but not more than fifteen years	Subject to Minimum of Rs.10,000/- Two rupees for every hundred rupees, or part thereof or the amount or value of the average annual rent reserved
(iv) Where the lease purports to be for a terms in excess of fifteen years but not more than thirty years	Subject to Minimum of Rs.20,000/- Three rupees for every hundred rupees, or part thereof or the amount or value of the average annual rent reserved
(v) Where the lease purports to be for a terms in excess of thirty years but not more than ninety nine years	2.5 per cent. for the amount of consideration or as the case may be, the market value of the property, whichever is higher.
(vi) Where the lease purports to be for a terms in excess of ninety nine years	The same duty as is leviable on a conveyance under article-20 market value of the property which is the subject matter of the lease or the amount of consideration, whichever is higher.”;

(ii) for Explanation II, the following Explanation shall be substituted, namely:-

**“Explanation II.** - For the purpose of sub-clauses (v) and (vi) of clause (a) of this article, consideration means the amount paid as deposit or premium or advance rent or an amount of average annual rent etc.”;

- (8) article 30A shall be deleted;
- (9) in article 36, in clause (c), in column 2, for the words “Five rupees for every sum Rs. 1000 secured or part thereof”, the words “Five Thousand rupees” shall be substituted;
- (10) in article 49, in clause (a), in column 1, after the word “daughter of pre-deceased son”, the words “or daughter of pre-deceased daughter or son of pre-deceased daughter” shall be inserted.

#### STATEMENT OF OBJECTS AND REASONS

This Bill seeks to amend the Gujarat Stamp Act, 1958, with a view to giving effect to the proposal contained in the Budget Speech of the Finance Minister in the Gujarat Legislative Assembly on the 20<sup>th</sup> February, 2025.

**BALVANTSINH RAJPUT,**

**MEMORANDUM REGARDING DELEGATED LEGISLATION**

The Bill provides for delegation of legislative power in the following respects:--

**Clause 1.** — Sub-clause (2) of this clause empowers the State Government to appoint by notification in the *Official Gazette*, the date on which the said Act shall come into force.

The delegation of legislative power, as aforesaid, is necessary and is of a normal character.

Dated the 20<sup>th</sup> March, 2025.

**BALVANTSINH RAJPUT.**

By order and in the name of the Governor of Gujarat,

**K. M. LALA,**

Gandhinagar,  
Dated the 20<sup>th</sup> March, 2025.

Secretary to the Government of Gujarat,  
Legislative and Parliamentary Affairs Department.

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